

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

JERRY MCCRARY,)
)
Plaintiff,)
)
v.) No. 4:07CV584 CEJ
)
JAMES PURKETT,)
)
Defendant.)

MEMORANDUM AND ORDER

This matter is before the Court on the amended petition of Jerry McCrary for a writ of habeas corpus. The amended petition does not substantially follow the court-provided form as required by Rule 2(d) of the Rules Governing Section 2254 Cases and Local Rule 2.06(A). As such, it is difficult for the Court to review. Consequently, the Court will allow petitioner to submit a second amended petition.

The Court is aware that there are more than four grounds in the amended petition and that the court-provided form only provides space for four grounds. If petitioner files a second amended complaint, he is instructed to fill out the form to the extent possible and to use the form as a model when stating the remaining grounds and facts supporting those grounds. Citations of law and legal arguments should be not be included in the second amended complaint. Instead, petitioner must specify the

grounds for relief, state the facts supporting each ground, and state the relief requested as required by Rule 2(c) of the Rules Governing Section 2254 Cases.

Petitioner shall have thirty days in which to file a second amended petition conforming with this Order. If no amendment is filed by the deadline, the instant action will be dismissed.

Accordingly,

IT IS HEREBY ORDERED that the Clerk of Court shall forward to petitioner, with a copy of this Order, the form for filing a "Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus by a Person in State Custody."

IT IS FURTHER ORDERED that petitioner shall have until June 4, 2007 in which to file a second amended petition consistent with this Order. Petitioner is warned that his failure to file the second amended complaint will result in dismissal of this action.

Dated this 3rd day of May, 2007.



CAROL E. JACKSON
UNITED STATES DISTRICT JUDGE